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October 27, 2017

### **VIA ECF**

William T. Walsh, Clerk  
Martin Luther King Building  
& U.S. Courthouse  
50 Walnut Street  
Newark, NJ 07101

**Re:     *Microspherix LLC. v. Merck Sharp & Dohme Corp., et al.*, Civil Action No.  
2:17-cv-03984 (CCC)(JBC)**

Dear Mr. Walsh:

This firm represents Plaintiff Microspherix LLC in the above-referenced matter. On October 25, 2017, Defendants Merck Sharp & Dohme Corp., Merck Sharp & Dohme B.V. and Organon USA, Inc. filed a Motion to Dismiss Count II of Plaintiff's Amended Complaint (D.E. 28).

Plaintiff hereby invokes Local Civil Rule of Procedure 7.1(d)(5) to extend the November 6, 2017 deadline for Plaintiff's opposition to Defendants' Motion to Dismiss. The new deadline for Plaintiff's opposition is November 20, 2017, the new deadline for Defendants' reply is November 27, 2017 and the new motion day is December 4, 2017. The originally noticed motion day of November 20, 2017 has not previously been extended or adjourned.

Respectfully,

/s/ *Christopher DeCoro*

Christopher DeCoro

cc: All Counsel of Record